

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DARYOUSH TAHA,
Plaintiff,

CIVIL ACTION

v.

**BUCKS COUNTY PENNSYLVANIA,
BUCKS COUNTY CORRECTIONAL
FACILITY, and UNPUBLISH LLC,**
Defendants.

NO. 12-6867

UNPUBLISH LLC
Cross Defendant
BENSALEM TOWNSHIP
Cross Claimant

v.

**BUCKS COUNTY CORRECTIONAL
FACILITY RECORDS/ RECORDS
CUSTODIAN EMPLOYEES JANE
AND/OR JOHN DOE #1-6, BUCKS
COUNTY PENNSYLVANIA, TERRANCE
P. MOORE, FRANK NOONAN and
WILLIAM F. PLANTIER**
Cross Defendants

ORDER

AND NOW, this 4th day of May, 2016, upon consideration of Plaintiff's Motion for Class Certification (ECF No. 100), Defendants Bucks County Correctional Facility and Bucks County ("the Defendants") Response in Opposition thereto (ECF No. 104), Plaintiff's Reply in support thereof (ECF No. 112), supplemental briefing (ECF Nos. 152, 154), and oral argument held on April 15, 2016 (ECF No. 155), for the reasons set forth in the accompanying Opinion entered this day, the Court makes the following findings:

1. The class proposed by Plaintiff satisfies the requirements of Federal Rule of Civil Procedure 23(a) in that:

- a. The record before the Court indicates that thousands of class members exist and that joinder of these widely-dispersed class members would be impracticable;
 - b. There are questions of law or fact common to the class, including whether Defendants' public dissemination of criminal history record information through the Inmate Lookup Tool was a willful violation of Pennsylvania's Criminal Record History Information Act;
 - c. Plaintiff's claims arise from the same course of conduct that affected all class members, *i.e.*, the Defendants' decision to disseminate criminal history record information through the Inmate Lookup Tool; and
 - d. Plaintiff's counsel Seeger Weiss LLP and Abramson & Denenberg P.C. have worked extensively to identify and investigate the claims in this action, are experienced in handling similar types of civil rights claims and complex litigation, and have adequate financial resources to conduct this litigation.
2. The proposed class meets the requirements of Fed. R. Civ. P. 23(b)(3) in that:
 - a. The questions of law or fact common to class members predominate over any questions affecting only individual members; and
 - b. A class action is superior to other available methods for fairly and efficiently adjudicating the controversy.

WHEREFORE, IT IS HEREBY ORDERED THAT:

1. Plaintiff's Motion for Class Certification is **GRANTED**;
2. The Court hereby certifies the following class pursuant to Fed. R. Civ. P. 23(b)(3):
 - a. **All persons whose criminal history record information was made available on the BCCF Inmate Lookup Tool.**
3. Daryoush Taha is appointed class representative; and

4. Seeger Weiss LLP and Abramson & Denenberg P.C. are appointed class counsel.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

WENDY BEETLESTONE, J.